

STATE BOARD OF PARDONS AND PAROLES



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APPLICATION FOR RESTORATION OF RIGHTS

The State Board of Pardons and Paroles (SBPP) cannot pardon offenses that occurred in other states. I understand that the SBPP cannot issue Pardons for federal offenses. I understand that the SBPP cannot expunge (remove from my record) any charges or convictions I have received nor can the SBPP seal my records. I understand a Pardon may only be granted for a *State of Georgia* conviction.

NOTE: The right to vote is automatically restored upon completion of sentence(s).

I am applying for (check the appropriate line):

- ☐ Restoration of Civil and Political Rights (for eligibility requirements, see page 2, Section 1)
☐ Pardon (for eligibility requirements, see page 2, see Section 2)
☐ Restoration of Right to Receive, Possess or Transport in Commerce a Firearm
(for eligibility requirements, see page 2, Section 3)
☐ Pardon exception (for eligibility requirements, see page 2, see Section 4)

In order to be processed, you must:

- (1) Attach your criminal history record (must be dated within 10 days of the postmark date)
- (2) Review criminal history to ensure all arrests show a disposition (conviction, dismissal, etc.)
- (3) Attach court documentation for any disposition not showing on your criminal record (see application instructions for obtaining criminal history and dispositions)
- (4) For firearms requests, you must submit three (3) letters of reference, signed and dated (no family)
- (5) Self-addressed, stamped envelope - white business size
- (6) Execute the attached Release of Information (see page 3) so that Parole staff can verify any information being provided regarding employment.

PLEASE PRINT:

Name: _____
(as it appears on court documents) Social Security Number _____

Other names you are known by _____ Sex: (M or F) _____ Race _____

Inmate # (if applicable) _____ Date of Birth _____ Current County of Residence _____

Street Address _____ City/State _____ Zip Code _____

Home Telephone Number _____ Cell Phone Number _____ Daytime Phone Number _____

APPLICATION FOR RESTORATION OF RIGHTS
PAGE 2

Employment:

Name of Current/Last Employer _____

Dates of Employment _____

Address/Phone _____

Supervisor: _____

Reason for leaving _____

(List your employment for the last 3 years. Please indicate reason for leaving. You should attach a current paystub or W-2 form to verify your present employment.)

On penalty of false swearing, I declare hereby that every statement by me is true and correct. I affirm I have not omitted any requested information. I fully understand any order issued by the Board in reliance on false, inaccurate, or incomplete information will be null and void and of no effect at all. I have not concealed any convictions or unpaid fines or restitution. I understand the Board's decision may not be appealed.

Signature

Date

If you move, you will need to notify the Pardon Administration Unit in writing at the above address.

State Board of Pardons and Paroles

Waiver to Release Information

I _____, for the purpose of a background investigation being conducted by the State Board of Pardons and Paroles, authorize the release of my employment history to Pardons and Paroles. I further authorize the release, to the State Board of Pardons and Paroles, of any criminal history record information pertaining to me which may be in the files of any jurisdiction whether federal, state, or local criminal justice agency in Georgia. I authorize the release of any and all information described above to any designated representative of the State Board of Pardons and Paroles.

A photo copy of this form may be used in lieu of the original.

Full Name (Printed) _____

Address _____

City, State, Zip Code _____

Sex / Race

Date of Birth

Social Security Number

Signature / Date _____

Subscribed before me:

This _____ day of _____, 20_____

Notary Public

Expiration Date of Commission

APPLICATION INFORMATION AND INSTRUCTIONS

- You may obtain your criminal history from the local law enforcement agency. Most Sheriffs' Offices offer this service for a fee. Those applicants residing out of state can contact their local FBI office for a national criminal check.
- To obtain disposition documents, contact the Clerk of Court in the county of conviction. Dispositions on misdemeanor offenses are only required for Pardon exceptions as noted in Section 4. You are not required to provide dispositions older than 15 years unless you need your rights restored for that offense.
- *No attorney is necessary for this process.*

Section 1: Restoration of Civil and Political Rights

This restores a person's civil rights which are lost in Georgia at the time of conviction. These include the right to run for and hold public office, to serve on a jury, and to serve as a Notary Public. The right to vote is automatically restored upon completion of your sentence(s) therefore you need not submit an application.

- You must have completed all sentence(s) within two (2) years prior to applying.
- You must have lived a law-abiding life during the two (2) years prior to applying.

Section 2: Pardon (State of Georgia convictions only):

This is an order of official forgiveness and is granted to those individuals who have maintained a good reputation in their community following the completion of their sentence(s). A Pardon is an official statement attached to the criminal record that states that the State of Georgia has pardoned the crime. **It does not expunge, remove or erase the crime from your record.** It may serve as a means for a petitioner to advance in employment or education.

- A Pardon will also restore your civil and political rights.
- You must have completed all sentence(s) at least five (5) years prior to applying.
- You must have lived a law-abiding life during the five (5) years prior to applying.
- You cannot have any pending charges.
- All fines and restitution must be paid in full.

Section 3: Restoration of Right to Receive, Possess or Transport in Commerce a Firearm

- You must be eligible for a Pardon or Restoration of Civil and Political Rights.
- A Restoration of Firearm Rights for Georgia convictions will be issued in conjunction with a Pardon.
- A Restoration of Firearm Rights for out of state offenses will be issued in conjunction with a Restoration of Civil and Political Rights.
- You must submit three (3) letters of reference from citizens of unquestionable integrity (signed and dated).
- You cannot be granted for any offense in which a firearm was used or possessed.
- You must have completed all sentence(s) and lived a law-abiding life for five (5) years after completing your sentence(s).
- All fines and restitution must be paid in full.
- A personal interview will be required with a SBPP staff member. Photo identification (photo) must be provided at the time of the interview. This also includes applicants who reside out of state.

Section 4: Exception for Pardon or Restoration of Civil and Political Rights

Individuals may request a waiver of the two (2) and five (5) year eligibility requirement if the waiting period is shown to delay qualification for employment in one's chosen profession. Additionally, some individuals may require a Pardon for misdemeanor convictions. In such instances, you must provide documentation to verify the specific situation.

- Adoption / Custody / Foster Care/ Daycare (copies of court documents)
- Section VIII (8) Housing (application). (Note: Federal law may prohibit some drug offenders and sex offenders from being

admitted into public housing.)

- Truck driver into Canada (letter from employer)
- Education (supporting documents)
- Employment (supporting documents)
- Immigration (proof of deportation status and proof of legal, permanent residency)
- Peace Officer Standards and Training Council (POST). For additional information on law enforcement qualifications, please see POST Council Rule number 464-3-02(1)(g) at the following link: <http://www.gapost.org/Rules/3offert.html>.

Glossary of Terms

Pardon – This is an order of official forgiveness and is granted to those individuals who have maintained a good reputation in their community following the completion of their sentence(s). A Pardon is an official statement attached to the criminal record that states that the State of Georgia has pardoned the crime. It does not expunge, remove or erase the crime from your record. It may serve as a means for a petitioner to advance in employment or education.

Restoration of Civil and Political Rights – This is an order restoring a person's civil rights which are lost in Georgia upon conviction. These include the right to run for and hold public office, to serve on a jury, and to serve as a Notary Public. The right to vote is automatically restored upon completion of your sentence(s) therefore you need not submit an application.

Frequently Asked Questions

Do I need an attorney to apply? No, you do not need an attorney to apply for a Pardon or Restoration of Civil and Political Rights.

Is there a fee to apply? No, there is no cost to apply for restoration of rights.

How long does it take for my application to be processed? The entire process can be lengthy since all information you provide to us must be verified. On average, processing an application takes approximately *six to nine months* and may take longer based on the Board's workload.

What will happen if I cannot obtain my criminal history or dispositions for my convictions? Your application will not be processed without the Georgia criminal history and certified sentence document for any disposition not showing on your record.

When am I eligible to apply for a Pardon? You must have completed all sentence(s) at least five (5) years prior to applying and have lived a law-abiding life since the completion of your sentence(s). You can have no pending charges against you. All fines and restitution must be paid in full.

Will my conviction still show on my record? Yes, however, a Pardon or Restoration of Civil and Political Rights will become part of your criminal history record.

How do I get a Record Expungement? This is not a function/duty of the Parole Board. To research details regarding a Record Expungement, Go to OCGA Section 35-3-37 for Georgia law requirements.

If I receive a Pardon, and then I am asked by an employer or future employer whether I have been convicted of a crime, do I answer "no" since I received a Pardon? You must answer "yes" to your employer or future employer. Explain that you have received a Pardon and provide a copy of your Pardon paperwork.

What is a Restoration of Civil and Political Rights? A Restoration of Civil and Political Rights is an order restoring the rights which are lost in Georgia upon conviction. These include the right to run for and hold public office, to sit on a jury, and to serve as a Notary Public. Restoration of Civil and Political Rights does not automatically include the right to possess, own or carry a firearm; it must be specifically granted by the Board. If you were convicted in another state and wish to have these rights restored, you must currently reside in Georgia.

When am I eligible to apply for Restoration of Civil and Political Rights? You must have completed all sentence(s) at least two (2) years prior to applying and lived a law-abiding life since the termination of your sentence(s).

Is a Restoration of Civil and Political Rights a separate process from a Restoration of Firearm Rights? Yes, these are different processes. If you would like to have your firearm rights restored, you must check the line on the application for "Restoration of Right to Receive, Possess or Transport in Commerce a Firearm." A personal interview will be required for firearms restorations.

Can I bow hunt even if I do not receive a Pardon or Restoration of Civil and Political Rights? Yes, you may bow hunt without a Pardon or Restoration of Civil and Political Rights.

Is a muzzle loader considered a firearm? Yes, a muzzle loader is considered a firearm.

Do I have to apply with the Parole Board to restore my right to vote? No, you do not have to apply to restore your right to vote. Your right to vote is automatically restored upon termination of your sentence(s). However, you must re-register with your local registrar's office in the county of your residence. To find your local registrar's office, visit this site: http://sos.georgia.gov/elections/elections/voter_information/2011_voter_info.asp

Do I need to apply with the Parole Board to restore my right to sit on a jury? Yes, you must apply for a Restoration of Civil and Political Rights in order to sit on a jury.

Do I need to apply with the Parole Board to restore my right to run for public office? Yes, you must apply for a Restoration of Civil and Political Rights to run for public office.

Do I need to apply with the Parole Board to restore my right to apply for a Notary Public? Yes, you must apply for a Restoration of Civil and Political Rights to apply for a Notary Public.